

**Ebey's National Historic Reserve
Code Revision Comparisons
27-Aug-21**

Section / Chapter	Title	Draft Amendments to Chapters 16.13 CTC & ICC 17.04A (Changes accepted version)	HRC Draft Amendments to Chapters 16.13 CTC & ICC 17.04A (Changes shown in underline & strikethrough format)	Trust Board Proposed Revisions
0.010	Purpose	<p>The purpose of this agenda item is to revisit advise the Trust Board of proposed amendments to the regulations in the Town and County codes that guide the design review/historic preservation process for the Reserve and to provide an opportunity for discussion of any concerns. The amendments were presented by Town and County staff in 2019, however due to the Covid-19 Pandemic, the process was placed on hold.</p> <p>The regulatory dimension of Ebey's Landing National Historical Reserve is the design review process conducted jointly by the Town of Coupeville and Island County. Both jurisdictions derive their design process enforcement powers from nearly identical chapters within their respective zoning codes. These are Chapter 16.13 of the Coupeville Town Code (CTC) and Chapter 17.04A of the Island County Code (ICC). The current regulations were adopted by each jurisdiction in 2011 with an effective date of January 1, 2012. Staff from the Town, the County, and the Reserve (collectively, the Reserve Committee) has had ample time to use and evaluate the effectiveness of the regulations over the past nearly ten <u>nine</u> years.</p> <p>It is important to distinguish between the process elements within the two chapters and the design guidelines themselves, which are adopted by reference within the chapters. The code establishes, among other things, the types of development activity subject to review and by whom. It is these primarily these regulations that are proposed for amendment. The Ebey's Landing National Historical Reserve Design Guidelines and the U.S. Secretary of the Interior's Standards for Rehabilitation provide the criteria by which land use and development proposals are evaluated. Amendments to the Design Guidelines are pending but are not part of the current proposal.</p>		Delete first 3 paragraphs. Reserve is not a "unit" of the NPS and incorrect references to USC Sec. 461 without citing the volume of the code.
		<p>A certificate of appropriateness (<u>COA</u>) is the formal certification that a proposal is found consistent with applicable design guidelines and Secretary of the Interior's standards. Sections .090 through .120 of each chapter identify activities and developments that are exempt, meaning that no certificate of appropriateness is required, and those that are subject to Level A, B, or C review. The review level for non-exempt projects identifies the position or body charged with review for a determination of consistency with the applicable guidelines and standards.</p> <p>Exempt activities are currently divided between those that are not required to comply with any criteria ("categorical exemptions") and those that are required to comply ("contingent exemptions"). Level A review reviews are conducted by the planning official <u>Town Planner or Island County Planning Director</u> for applications that are fairly simple and will have limited impact, such as sign applications.. .</p>		

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0.050	Definitions	"Accessory use or building" means a use, structure or building customarily considered to be incidental to or secondary to a permitted use or an approved conditional use on the property, or on adjacent property(ies) under the same ownership. Examples of accessory buildings or structures include, but are not limited to, sheds, shops, garages, greenhouses, accessory dwelling units, etc.		Ebey's Landing National Historical Reserve - Area established by Public Law 95-625 section 508, by which Congress established the reserve.
		Alteration means minor modification of structures, buildings, or landscaping without significantly changing the original configuration.		
		"Certificate of appropriateness (COA)" means a document issued by the planning official or the HPC certifying that all new construction or proposed changes to a historic resource, contributing structure, or other property within the geographic boundaries of the Reserve have been reviewed, complies with the standards established by the guidelines, and that the proposed changes do not adversely affect the historic characteristics of the Reserve or properties that contribute to the Reserve's designation as a National Historic Reserve. Development activities that are not required to obtain a COA are defined as exempt activities.	"COA" means a certificate of appropriateness as defined herein.	
			"Exempt activities" means certain development activities are exempt from the requirements to obtain a certificate of appropriateness <u>but are required to comply with the design guidelines and Secretary of the Interior Standards for Rehabilitation, as applicable.</u> ((These exempt activities are further defined as categorical exemptions or contingent exemptions as set forth below:- "Categorical exemptions:" Exempt activities which are: i) not required to comply with the design guidelines; and ii) not required to obtain a certificate of appropriateness.- Contingent exemptions:" Exempt activities which are: i) required to comply with the design guidelines; and ii) not required to obtain a certificate of appropriateness.))	
		(("Planning Official" means the Island County Planning and Community Development Planning Official for Island County :)) "Planning Official" means the Island County Planning and Community Development Director or designee, and the Town of Coupeville Planning Director or designee.	(("Planning Official" means the Island County Planning and Community Development Planning Official for Island County :)) "Planning Official" means the Island County Planning and Community Development Director or designee, and the Town of Coupeville Planning Director or designee.	
0.080	Procedural, substantive, and appeal requirements within Ebey's Landing Natl. Hist. Reserve	1. Where a development or land use action is proposed that is not listed in this chapter, <u>the planning official town planner</u> shall have the authority to classify the proposal as an exemption or subject to Level A, Level B, or Level C review. 2. In the event an application is determined to fall under more than one category or is anticipated to have impacts that vary significantly from the typical impact for the activity type, the planning officialtown planner , with the agreement of the Reserve Committee, is authorized to assign the review level (Level A, Level B, Level C, or exemption) for processing the application.	C. Unclassified and Anomalous Applications. ((In the event an application is unclassified, the town planner is authorized to assign the decision-making level (levels A, B, and C) for processing the application.) 1. <u>Where a development or land use action is proposed that is not listed in this chapter, the town planner shall have the authority to classify the proposal as an exemption or subject to Level A, Level B, or Level C review.</u> 2. <u>In the event an application is determined to fall under more than one category or is anticipated to have impacts that vary significantly from the typical impact for the activity type, the town planner, with the agreement of the Reserve Committee, is authorized to assign the review level (Level A, Level B, Level C, or exemption) for processing the application.</u>	

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			<p>D. Appeal Process.</p> <p>1. Any appeal of ((the town planner or HPC))a decision regarding a certificate of appropriateness shall be ((appealed))conducted in conformance with the administrative appeal procedures set forth in CTC 16.06.060. [Town amendment only]</p> <p>2. All appeals of ((the town planner or HPC decision regarding))a certificate of appropriateness shall be consolidated with any appeal of the underlying or companion land use or building permit((application)). ((Such appeals shall be heard at a single simultaneous open record public hearing before the town council to consider the town planner or HPC decision or recommendation on the proposal, except when an open record hearing has already been held by the HPC as part of their decision-making process. In such case the appeal of the HPC decision to the town council shall be based upon the record.)) [Town amendment only]</p>	
0.090	Exempt Activities	<p>6. Ordinary repair and maintenance of non- historic structures.</p> <p>10. Replacement-in-kind of roofing and siding of non-historic structures.</p> <p>11. Installation of residential satellite dishes that are less than or equal to thirty-six (36) inches in diameter or largest dimension on non-historic structures.</p> <p>21. Accessory structures on non-historic properties that do not require a building permit.</p>	<p>Exempt activities are divided into two categories: categorical exemptions and contingent exemptions. Exempt activities do not require a certificate of appropriateness (COA). Only those exempt activities listed as contingent exemptions are required to meet the guidelines established in the Ebey's Landing National Historical Reserve Design Manual.</p> <p>A. Categorical Exemptions. The following activities are categorical exemptions. These activities are not required to comply with the guidelines and these activities are not required to obtain a certificate of appropriateness:-</p> <p>1. Agricultural activities.</p> <p>2. Alteration of interior features.</p> <p>3. Emergency repairs provided that the following cessation of an emergency, all emergency repairs are required to meet all relevant guidelines and obtain a COA, if applicable.-</p> <p>4. Residential energy conservation or renewable energy measures that do not affect the site or the exterior of a building or structure.-</p> <p>5. Replacement of driveways or sidewalks that are associated with non-historic buildings and structures.-</p> <p>6. Replacement in kind that is associated with non-historic buildings and structures.-</p> <p>7. Replacement or addition of utility systems that do not alter the exterior of non-historic buildings and structures.-</p> <p>8. Replacement or repair of foundations of non-historic buildings and structures.-</p> <p>9. Seismic or structural upgrades that do not alter the exterior of non-historic buildings and structures.-</p> <p>10. Temporary accessibility improvements, such as ramps, for disabled access that are not permanent structures or do not require a building permit.))</p>	<p>Under change to "exempt activities" as recommended to staff, the listed activities would be exempt from the requirements for a COA, but would still have to comply generally with the Design Guidelines and also the Secretary of Interior Standards for Rehabilitation. If the activity is exempt, then no COA is required and no review process is required. Thus, the only enforcement mechanism is the filing of a lawsuit alleging that the activity does not comply with the guidelines and standards. The question is whether it is reasonable to require compliance with the standards in connection with exempt activities and it is not reasonable to do this due to the complexity of the standards. The ordinance should not require compliance with the Standards for Rehabilitation in connection with exempt activities. The purposes of the reserve, as set forth in .010 of the ordinance, include "To maintain the economic viability of farms within the reserve by working with the agricultural community to preserve significant cultural resources and contributing structures, while allowing new economically viable and compatible construction," and "to preserve the rural and scenic nature and character of the landscape without adversely affecting the use of the land for farming practices consistent with farm practices, customs, and characteristics local to the area and the Pacific Northwest." Accordingly, the ordinance contains exemptions for agricultural activities and development activities or structures within building envelopes and construction zones consistent with scenic easements with the NPS. It is important that these exemptions be upheld against claims that other provisions of the ordinance purport to regulate them. Thus, the ordinance should state that these exemptions take precedence over any provisions of the ordinance inconsistent therewith.</p>

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			<p>B. Contingent))Exemptions. ((The following activities are contingent exemptions. When these activities require a building permit, they are required to comply with the guidelines but do not require a certificate of appropriateness. When these activities do not require a building permit, town staff will assist owners in understanding and applying the design guidelines.))The following activities do not require a COA but shall comply with the applicable design requirements and restrictions contained in this chapter <u>and</u>, the Ebey's Landing National Historic Reserve Design Guidelines <u>and the Secretary of Interior's Standards for Rehabilitation., and the Secretary of the Interior's Standards for Rehabilitation.</u></p> <p>Exterior painting.</p> <ol style="list-style-type: none"> 1. Exterior painting. 2. <u>Alteration/renovation of interior features.</u> 3. <u>Agricultural activities, as defined in this chapter.</u> 4. <u>Emergency repairs. Following cessation of an emergency, all emergency repairs are required to meet all relevant guidelines an obtain a COA, if applicable.</u> ((2))5. Construction or demolition consistent with a heritage farm plan. ((3))6. Ordinary repair and maintenance <u>on non-historic structures.</u> ((4))7. Replacement or the addition of utility systems that do not alter the exterior of ((historic))buildings or structures. ((5))8. Repair or replacement of driveways or sidewalks((associated with historic buildings or structures)). ((6))9. <u>Foundation ((R))replacement in kind, ((or))repair, or raising (where required to meet floodplain requirements) ((of foundations historic structures)).</u> ((7))10. ((Reroofing and/or residing with the same or substantially similar materials when no building permit is required))Replacement-in-kind of roofing <u>of non-historic structures.</u> ((8))11. Installation of residential satellite dishes that are less than or equal to thirty-six (36) inches in diameter or largest dimension <u>on non-historic structures.</u> ((9))12. Seismic or structural upgrades that do not alter the exterior of ((the historic)) buildings or structures. 	

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			<p>13. Temporary accessibility improvements, such as ramps, for disabled access that are not permanent structures.</p> <p>14. 14. Construction, installation and/or placement on <u>operating</u> farms <u>which conduct agricultural activities</u>, of agricultural buildings or structures that do not exceed ten thousand (10,000) square feet in area, and which are of similar size, scale, and within two hundred (200) feet of to existing agricultural buildings or <u>structures</u>. structures</p> <p>15. 15. Public park improvements such as playground equipment, trails, etc., that do not require a building permit and that are not buildings.</p> <p>16. 16. Development activities or construction/installation/placement of agricultural structures within building envelopes, construction zones, etc., which are consistent with and described in scenic easement agreements with the National Park Service.</p> <p>17. 17. Construction, installation and/or placement of greenhouses, hoop houses, high tunnel, hot houses, or other fabric-type structures associated with agricultural uses or activities when these structures do not exceed ten thousand (10,000) square feet in area and are of similar size, scale, and within two hundred (200) feet of existing agricultural buildings or structures.</p> <p>18. Historic preservation projects funded through the Ebey's Forever Grant Program or the Department of Archaeology and Historic Preservation.</p> <p>18. Historic preservation project elements that have been reviewed and approved for funding through the Ebey's Forever Grant Program or the Department of Archaeology and Historic Preservation. [HPC recommendation]</p> <p>19. Retaining walls under four (4) feet and fences under six (6) feet in height.</p> <p>20. Bulkheads/shoreline armoring.</p> <p>21. Accessory structures <u>on non-historic properties</u> that do not require a building permit.</p> <p>22. Demolition of a non-historic building or structure.</p>	
			<p>23. Any activity or development for which a permit is not required, except for alterations to historic resources listed and as otherwise provided in this chapter.</p> <p>24. Replacement of siding on non-historic buildings.</p>	

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0.100	Level A COA		<p>1. New single-family construction or installation, additions and modifications to existing buildings, or new accessory structures within Review Area 2 that are proposed within the established boundaries of the following subdivisions:</p> <p>a. Rolling Hills b. Sierra c. Crockett Lake Estates d. Penn Cove Park</p> <p>2. Manufactured homes on existing pad within approved manufactured home parks.</p> <p>3. Building additions with a floor area of less than 25 percent of the existing building footprint – non-historic buildings.</p> <p>((1. Accessibility alterations that alter the exterior of non-historic buildings or structures.))</p> <p>((2))4. Administrative site plan approvals with ((no)) all above-ground construction activities permitted separately.</p> <p>((3))5. Installation of commercial, institutional, public, and residential signs.</p> <p>((4))6. Construction and installation of decks, ((or)) porches, or accessibility alterations that alter the exterior of ((on)) non-historic buildings or structures.</p> <p>5. Reroofing non-historic buildings or structures with new or different materials (whether or not a building permit is required).)</p> <p>((6))7. Construction and/or installation of non-exempt retaining walls and fences ((that are less than six feet in height)).</p> <p>7. Construction, installation and/or placement of greenhouses, hoop houses, high-tunnel, hot houses, or other fabric type structures on residential property when no building permit is required.</p> <p>8. Construction and/or installation of energy conservation or renewable energy measures that affect the site or the exterior of a ((historic residential)) building or structure in review area 2 ((or a non-historic residential building or structure in review area 1)).</p> <p>9. Aircraft Hangars in Island County Airport (AP) Zone</p>	<p>The reserve encompasses the subdivisions of Rolling Hills, Penn Cove Park, Crockett Lake Estates, and Sierra. These subdivisions have little historical value, and development activities therein should require minimal review, if any. Thus, the Committee recommends that development activities within these subdivisions on lots that do not abut on public roads or highways (and thus have little or no visual impact) should be exempt, and development activities on lots that do abut public roads or highways should only require Level A review.</p> <p>For example, one subject of clarification is the matter of greenhouses. Under the Land Use Committee’s recommendations, greenhouses, hoop houses, and the like associated with other agricultural uses or activities and less than 10,000 square feet in area and within 200 feet of existing agricultural structures are exempt. Residential greenhouses, hoop houses, and the like when no building permit is required would require Level A review. Non-exempt greenhouses and the like for commercial use and when a building permit is required would require Level B review.</p>
		10. Replacement in kind on historic buildings, <u>including roofing</u> , unless otherwise listed <u>in the contributing Structures Inventory for specific resources. specific features.</u>	10. R eplacement in kind on historic buildings, including re-roofing, unless otherwise listed for specific features.	

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0.110	Level B COA	<p>2. Clearing and grading activities on parcels larger than one acre in size. Permits.</p> <p>4. Accessibility alterations that do not permanently alter the exterior of a historic building or structure (HPC recommendation)</p> <p>6. Approval of heritage farm plans.</p> <p>7. Except as otherwise provided in this chapter, new residential construction in review area 2 provided no portion is within <u>two one</u> hundred (200) feet of a historic structure.</p> <p><u>11. Exterior replacement of materials with new or different materials.</u></p> <p>11. Accessibility alterations that do not permanently alter the exterior of a historic building.</p> <p>12. Preliminary short plats.</p> <p>12. Construction and/or installation of antenna support structures associated with residential uses that (as built or when retracted) do not exceed the height of the tallest building on the site.</p> <p>13. Construction, installation and/or placement of commercial greenhouses, hoop houses, high tunnel, hot houses, or other fabric type structures less than 10,000 square feet.</p> <p>14. Construction and/or installation of communication towers or radio tower support structures that are not associated with a residential use and that effectively use camouflage or architectural concealment techniques; or consist of extended or replaced utility poles placed in line with existing utility poles.</p> <p>15. Building additions with a floor area between 25 percent and 75 percent of the existing building footprint – non-historic buildings.</p> <p>16. New single-family construction or installation, additions to existing buildings, or new accessory structures within Review Area 1 that are proposed within the boundaries of the following subdivisions:</p> <p>a. Bolling Hills</p> <p>b. Sierra</p> <p>17. Contributing highway, road and street improvements involving the addition of lanes or right-of-way or non-maintenance activities.</p>	<p>1. Construction, installation, ((and/or))placement, or modification of non-exempt accessory structures.</p> <p>2. Construction of aircraft hangars in airport (AP) zone.</p> <p>((3))2. Clearing and grading activitiespermits-activities on parcels larger than one acre is size.</p> <p>((4))3. Construction and installation of decks or porches on historic buildings ((or structures)).</p> <p>((5))4. Accessibility alterations ((that do not permanently alter the exterior of))to a historic building or structure. [HPC recommendation]</p> <p>((6))5. ((Demolition or r)) Relocation of non-historic buildings or structures.</p> <p>((7))6. <u>Approval of heritage farm plans.</u></p> <p>((8))7. ((N)) Except as otherwise provided in this chapter, new residential construction in review area 2 provided ((this construction is not))no portion is within one hundred (100) feet of a historic structure.</p> <p>((9. Tree removal when not associated with an underlying or companion building, health, public works, and/or land use permit.))</p> <p>((10. Replacement in kind that is associated with historic buildings and structures, consistent with the design guidelines)).</p> <p>((11. Reroofing historic buildings or structures with new or different materials.))</p> <p>10. Exterior material alterations on historic buildings and structures, including replacement with different materials.</p> <p>11. Accessibility alterations that do not permanently alter the exterior of a historic building.</p> <p>((12. Construction and/or installation energy conservation or renewable energy measures that affect the site (i.e., within one hundred (100) feet) or the exterior of a residential historic building or structure in review area 1.))</p> <p>((13))12. ((Short plat and short subdivision design))<u>Preliminary short plats.</u></p> <p>((14))13. Construction and/or installation of antenna support structures associated with residential uses that (as built or when retracted) do not exceed the ((allowable))height of the tallest building on the site((structures in the underlying zoning</p>	

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		<u>18. Site plan review – non administrative.</u>	<p>((15))14. Construction, installation and/or placement of commercial greenhouses, hoop houses, high tunnel, hot houses, or other fabric type structures less than 10,000 square feet((for commercial use when a building permit is required)).</p> <p>((16. Construction, installation and/or placement of structures associated with an agricultural activity and that do not exceed ten thousand (10,000) square feet in area, and which are of similar size, scale, and within two hundred (200) feet of existing agricultural structures but not on a site with an operating farm.))</p> <p>((17))15. Construction and/or installation of communication towers or radio tower support structures that are not associated with a residential use and that effectively use camouflage or architectural concealment techniques; or consist of (("swap out" of)) extended or replaced utility poles placed in line with existing utility poles.</p> <p>16. Building additions with a floor area between 25 percent and 75 percent of the existing building footprint – non-historic buildings.</p> <p>17. New single-family construction or installation, additions to existing buildings, or new accessory structures within Review Area 1 that are proposed within the boundaries of the following subdivisions:</p> <p>a. Rolling Hills</p> <p>b. Sierra</p> <p>18. Contributing highway, road and street improvements involving the addition of lanes or right-of-way or non-maintenance activities.</p> <p><u>19. Site plan review – non administrative</u></p>	<p>For example, one subject of clarification is the matter of greenhouses. Under the Land Use Committee's recommendations, greenhouses, hoop houses, and the like associated with other agricultural uses or activities and less than 10,000 square feet in area and within 200 feet of existing agricultural structures are exempt. Residential greenhouses, hoop houses, and the like when no building permit is required would require Level A review. Non-exempt greenhouses and the like for commercial use and when a building permit is required would require Level B review.</p>
			<p>B. ((Recommendations by the Reserve Committee. Recommendations on a COA and associated conditions should, ideally, be unanimous. The town planner may refer an application to the Reserve HPC for further review, comment and recommendation when:)) Promotion of Level A or Level B applications to the HPC. An application may be forwarded to the HPC for review:</p> <p>1. ((At least one other member of the Reserve committee agrees that the application for the COA or the conditions of approval for the certificate of appropriateness should be reviewed by the HPC)) a. At the determination of the planning official or designee; or</p> <p>2. Upon the request of the applicant.</p>	

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0.120.C	Level C COA		<p>((A.)) Level C Certificates of Appropriateness—HPC Recommendations to the ((Town-Planner)) decision maker. ((This is an administrative decision by the town planner on the COA following review of the project by the HPC in a public meeting, for the development activities listed in subsection C below when those activities are proposed on a site that does not contain a historic building or structure, or historic resource; or is within one hundred (100) feet of a historic building or structure. In these instances, the HPC recommendations on the COA are forwarded to the town planner for action in conjunction with the underlying or companion land use or building permit.)) This process results in an administrative decision on the COA for the development activities listed in this section following a review of the project by the HPC in a public meeting. The HPC recommendations on the COA are forwarded to the decision maker of the associated application. Conditions of the COA approval are incorporated as conditions of approval of the associated land use or development permit.</p> <p>((B.)) Level C Certificates of Appropriateness—HPC Decision. This is an administrative decision by the HPC on the COA, following a public meeting, for the development activities listed in subsection C below when those activities are proposed on a site containing a contributing structure or historic resource, or on a site that is within one hundred (100) feet of a historic building or structure. Any conditions of approval attached to the COA by the HPC are forwarded to the town planner and become conditions of approval for the underlying or companion land use or building permit.</p>	

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			<p>((C. Land Uses and Development Activities Requiring a Level C Certificate of Appropriateness.)) The following land uses and development activities require a level C certificate of appropriateness:</p> <p>1. Installation of above-ground power transmission lines.</p> <p>((2. Accessibility alterations that permanently alter the exterior of a historic building or structure.)) [HPC recommendation]</p> <p>((3))2. Additions or alterations to a historic building or structure; new construction on a site containing a historic building, structure or resource; new construction within one hundred (100) feet of a historic building or structure.</p> <p>((4))3. New construction, including additions greater than 75 percent of the existing building footprint, within review area 1, unless such construction is an ((contingent))exemption pursuant to a heritage farm plan ((CTC 16.13.090.B.2)) or a ((NPS))National Park Service easement ((CTC 16.13.090.B.12)), or as otherwise listed in this chapter.</p> <p>((5))4. Construction, installation and/or placement of agricultural structures, including greenhouses, hoop houses, high tunnel, hot houses, or other fabric type structures that are equal to or greater than ten thousand (10,000) square feet in area ((also refer to subsection 9 below)).</p> <p>((6))5. Construction and/or installation of communication towers or radio tower support structures that are not ((associated with a residential use and which do not effectively use camouflage or architectural concealment techniques))eligible for Level B review.</p> <p>((7))6. Demolition (partial or complete) or relocation of a historic building or structure (the standards for demolition are specified in CTC 16.13.150).</p>	
			<p>((8))7. Construction and/or installation of energy conservation or renewable energy ((major or minor utilities) measures that affect the site or the exterior of a non-residential building or structure in review area 1 or 2))on or within 100 feet of a historic structure or within review area 1.</p> <p>((9. Construction, installation and/or placement of greenhouses, hoop houses, high-tunnel, hot houses, or other fabric type structures associated with agricultural uses or activities when any one or a series of these structures exceed ten thousand (10,000) square feet in area (also refer to subsection C.5 above.))</p> <p>((10))8. Construction, installation and/or placement of new duplexes, triplexes, fourplexes, and other multi-family structures ((or modular))or mobile home parks.</p> <p>((11))9. New construction ((or alteration))of nonresidential (commercial, public, or institutional) buildings, structures, or facilities within review areas 1 or 2.</p> <p>((12. Construction and/or installation of retaining walls and fences that are greater than six feet in height.))</p> <p>((13))10. Over-water shoreline development ((physically connected to uplands)).</p>	

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Section / Chapter	Title	Draft Amendments to Chapters 16.13 CTC & ICC 17.04A (Changes accepted version)	HRC Draft Amendments to Chapters 16.13 CTC & ICC 17.04A (Changes shown in underline & strikethrough format)	Trust Board Proposed Revisions
		11. Site plan review.	<p>((D. Level C certificates of appropriateness— HPC recommendations to Town Planner and Decision-Making Body. The recommendations of the HPC on the certificate of appropriateness for certain level C land use decisions (listed below) are restricted to design considerations only. These recommendations to the decision-making body are strictly advisory in nature. In the case of planned unit developments, subdivisions, and conditional use permits, HPC recommendations on the COA will be incorporated into the staff report and recommendation to the town planning commission and town council.</p> <p>1. Highway, road, and street improvements involving the addition of lanes or right of way.</p> <p>2. Over water shoreline development not physically connected to uplands.</p> <p>3. Projects requiring energy facility site evaluation council (EFSEC) or Federal Energy Regulatory Commission (FERC) approval.))</p> <p>((4))11. <u>Site plan review</u>((or conditional use permits)).</p> <p>((5))12. ((Subdivision))Binding site plans, preliminary plats, ((or))planned unit developments(((PUD))), or planned residential developments.</p> <p>((6. Water reclamation and phytoremediation projects not on property under federal</p>	
0.150	Demolition or relocation of contributing buildings or structures or historic resources.			Subsection D of section .150 of the current ordinance provides that a COA will expire if the work authorized does not begin with two years of issuance. In the real world, this is often not reasonable. The Committee recommends that this period be extended to five years.